

CLARK, LINCOLN, AND WHITE PINE counties
GROUNDWATER DEVELOPMENT PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
SCOPING MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

On Thursday, August 18, 2011

At 3:00 p.m.

At the Sparks High School

820 15th Street

Sparks, Nevada

Reported by: Deborah Ann Hines, CCR #473, RPR

1 NANCY HOFFMAN: 1227 Flora Glen Drive,
2 Sparks, 89434. This is my first EIS. Insignificant
3 comment is the frequently asked question and answer
4 paper is on very fine paper and not double printed.
5 Isn't that a waste of taxpayer's money?

6 Because of the complexity of the EIS and the
7 short amount of time the public has had access to the
8 draft, I would like to request an extension of the
9 time for public study and comment. I'm new to this
10 particular thing, I've heard about it briefly, but
11 even though 90 days I read is double the amount of
12 time necessary, I intend to read the entire draft
13 proposal. And I know that even if I read 80 pages a
14 day, I couldn't have gotten through it, comprehended
15 it and found enough questions in the proposed amount
16 of time. And as a newly retired teacher, I would
17 like to be able to do more about that.

18 I am a birdwatcher and a hiker who spends a
19 good amount of time out in the areas that are going
20 to be impacted by this. And I know that whether it's
21 buried or not there's going to be a permanent impact
22 on wildlife, and it needs to be given more time to be
23 considered.

24 My other issues happen to do with just
25 simply basic things. This is for future water uses.

1 Due to our horrible economy, any expected growth in
2 the Las Vegas area has literally stopped. And when I
3 was brought up I was told if you didn't have enough
4 money to purchase something extra, you just didn't
5 get to buy it. And to ask the rest of the state to
6 give away future unlimited and unknown amounts of
7 water, a carte blanche approach according to the
8 language I've read so far, for future needs that
9 aren't concrete is asking too much. More needs to be
10 done in means of water conservation, slower growth.

11 FACILITATOR JOHN GODEC: I think we're going
12 to get the public hearing started. For those of you
13 that are interested, if you'd like to make your way
14 up here, please feel free to grab one of the chairs.

15 I'll explain briefly the materials that you
16 got when you came in. If you are interested in
17 speaking this evening, we're asking that you fill out
18 a speaker card, which is at the front desk where you
19 came in, and register. If you have not given us your
20 name, we'd appreciate it if you would fill out the
21 registration, make sure you get on the mailing list
22 so that you're kept informed of all the information
23 from here on in.

24 So this will be a formal public hearing
25 process as we begin. I will tell you that we only

1 have a handful of speaker cards at the moment, so I
2 would encourage you, if you have something that you'd
3 like to present, something that you'd like on the
4 official record, please feel free to fill out one of
5 those speaker cards. We'd love to hear from you
6 tonight.

7 If you prefer to make comments privately, as
8 some people do, when we finish with this public
9 portion, you're more than welcome to sit down
10 privately with our court reporter and make your
11 comments that way.

12 So let me introduce Dr. Michael Dwyer, our
13 public hearing officer, who will explain how this
14 will work for the rest of the evening.

15 DR. MICHAEL DWYER: All right. Good
16 evening, everyone, and thank you for being here. Our
17 purpose tonight of this portion of the meeting is to
18 get your comments on this document, the Clark,
19 Lincoln and White Pine Counties Groundwater
20 Development Project Draft Environmental Impact
21 Statement. The Bureau of Land Management, with the
22 help of the environmental firm AECOM, prepared this
23 document in response to an application that we
24 received in 2004 from the Southern Nevada Water
25 Authority for a pipeline and facilities to go with

1 that pipeline to transport groundwater from East
2 Central Nevada to Southern Nevada.

3 Let me be clear that at this point the
4 Bureau of Land Management has not made any decision
5 on that application. The National Environmental
6 Policy Act requires that before we make that decision
7 that we document and consider the impacts that go
8 with that project proposal, and this document is the
9 vehicle to do that, to document and lay those impacts
10 out in front of the decision maker so that they're
11 fully aware of the impacts that go with that
12 application.

13 This hearing is your opportunity to help us
14 make this environmental impact statement, the final
15 version of it, as clear, comprehensive and accurate
16 as it can possibly be. Seven alternatives have been
17 analyzed in this draft EIS, six are action
18 alternatives that involve different levels of pumping
19 and different water basins. The seventh alternative
20 is the No Action alternative that describes the
21 impacts if the Bureau of Land Management denies this
22 application and continues with current land uses.

23 Let me clarify what this hearing is not.
24 It's not about the allocation of water rights. That
25 is a decision that is not a BLM decision, that's in

1 the hands of the State of Nevada, and specifically
2 the Nevada State Engineer. Southern Nevada Water
3 Authority has filed a separate application with the
4 state engineer's office for water rights, and the
5 state engineer will conduct separate public hearings
6 on that application starting next month.

7 Second, this part of the meeting is not a
8 debate. This is the part of the meeting where we
9 listen to you. It's a formal public hearing in which
10 each person who would like to make a comment orally
11 in a public forum will be given the opportunity to do
12 so. The comments and questions will be captured
13 verbatim by our court reporter Debbie and will be
14 addressed in writing in the final version of the
15 environmental impact statement.

16 Please be aware that if you ask a question
17 while you're at the podium, we will note it in the
18 record and address it in the final EIS but we won't
19 respond during the hearing. If you have questions
20 that come up during this hearing that you'd like to
21 have answered, you're very welcome to stand up, move
22 to the back of the room, find a person with a name
23 tag and we'll get your question answered for you.

24 We want to hear from everyone who has
25 something to say. I don't think it's going to be a

1 problem since we have so few speakers signed up
2 tonight, but we'd like to keep your comments to about
3 five minutes, if you wouldn't mind please. John will
4 display some placards that will help you manage your
5 time at the podium. When you see the placard that
6 says time expired, please wrap up your comments.

7 If you have comments that you can't convey
8 in five minutes, we want them. We want to hear them
9 so please submit them in writing. They carry every
10 bit as much weight as the comments that are made
11 orally tonight. And you can submit comments until
12 October 11th of 2011, that's a 30-day extension of
13 the original comment period.

14 Regarding audience participation, please
15 treat the speaker as you would like to be treated
16 when it's your turn at the podium. Please don't
17 interrupt the speaker, and please note that audience
18 comments and reactions will not be part of the
19 transcript.

20 Finally let me explain what happens from
21 this point forward then I'll sit down and it will be
22 your turn. The comments you make during tonight,
23 along with all the comments that we receive during
24 all the public meetings and all the comments we
25 receive in writing, will be used to develop the final

1 version of this environmental impact statement. We
2 expect to have that final environmental impact
3 statement available for your review in mid 2012. It
4 will include a comment response document that
5 explains how each comment was used in the development
6 of the document.

7 When the final EIS is ready for release, a
8 notice of availability will be published in the
9 Federal Register, as well as in local newspapers, and
10 we'll post a notice of it on our website, BLM
11 website. A decision on the right-of-way application
12 can be made any time 30 days after that notice of
13 availability has been published. When that happens,
14 when a decision is made on the application, a record
15 of decision will be published in the Federal
16 Register, local newspaper and posted on our website.

17 Finally I'd just like to extend my thanks to
18 you for being here. I've worked on a lot of
19 environmental impact statements in my 31 years with
20 BLM, almost 32 now, and they're always better in the
21 end for vigorous public review and comment, so thank
22 you for your participation.

23 With that I'll turn it over to John and call
24 our first speaker please.

25 FACILITATOR JOHN GODEC: I'm going to call

1 the speakers in the order that we received them.
2 When you came up, if you would please spell your name
3 and give us your mailing address.

4 Rose Strickland.

5 ROSE STRICKLAND: I'll wait. Thank you.

6 FACILITATOR JOHN GODEC: All right. Dennis
7 Ghiglieri.

8 DENNIS GHIGLIERI: Thank you for the
9 opportunity to be here. My name is Dennis Ghiglieri,
10 that's G-h-i-g-l-i-e-r-i. I'm at 619 Robinson Court
11 in Reno, and here I am at the Reno hearing in Sparks,
12 so that's a pretty interesting occurrence, don't you
13 think?

14 I appreciate the opportunity to be here to
15 speak. I'm speaking on behalf of the Toiyabe chapter
16 of the Sierra Club, and I'd first like to say that
17 given the size of this document, its complexity, and
18 perhaps my slow reading skills, I'd like to ask for
19 additional time beyond the 30 day extension which is
20 currently happening.

21 Moving right along, I believe that the EIS
22 does indeed show there are going to be dramatic
23 impacts caused by the groundwater pumping, and it is
24 certainly a document which explores inadequately, I
25 think, many of the problems that are faced by the

1 five basins, in the five basins which are subject to
2 the pumping. But I do believe that there are far
3 more impacts to be analyzed, and the BLM should have
4 included those and I ask that they be included in a
5 revised EIS.

6 For example, the Southern Nevada Water
7 Authority holds water rights probably in excess of
8 12,000 acre feet in Coyote Spring Valley and over
9 111,000 acre feet in Railroad Valley in Nye County.
10 All of these water rights are certainly, they
11 certainly intend to develop at some point in time and
12 probably well within the 50-year timeframe for the
13 build-out of the pipeline, so they should have been
14 included in this document. That's a substantial
15 amount of water, two-thirds of the water that is
16 currently being studied in this particular analysis.

17 And there's an additional water that part of
18 the agreement the Southern Nevada Water Authority
19 signed with Lincoln County, they passed water rights
20 that they held, water applications I should say that
21 they held in other desert valleys, Coal, Garden,
22 Patterson, and Rock to the tune of 91,000 acre feet
23 of water.

24 So again we have a substantial amount of
25 water which is not being looked at or analyzed in

1 this EIS. This is significant because all the water
2 that I mentioned would undoubtedly be transported in
3 the pipeline right-of-way that you are now
4 considering. And I think that alone mitigates that
5 this additional 288,000 acre feet of potential
6 groundwater extraction should be considered.

7 I think that I'd like to end with the idea
8 that the discussion of the impacts which the EIS does
9 show, however, and they are substantial, and I
10 appreciate the work that went into looking at the
11 severe drawdowns that are going to occur in the five
12 valleys and the adjacent valleys.

13 Ultimately my fear is for the Great Basin
14 National Park and wildlife refuges and public land
15 resources which are in this area that stand to be
16 lost for all time. It will be lost over time so the
17 impacts will appear year by year, and that is one of
18 our great concerns is that the time to deal with this
19 project may slip through our fingers if it gets even
20 the slightest drawdown, and that's why I ask the BLM
21 to select the No Action alternative. Thank you.

22 DR. MICHAEL DWYER: Thank you.

23 FACILITATOR JOHN GODEC: Bob Benkovich.

24 BOB BENKOVICH: I'm Bob Benkovich, that's
25 B-e-n-k-o-v-i-c-h. My background, I'm a former

1 Nevada State Assemblyman. My area included North
2 McCarran and Reno and everything east of McCarran and
3 Sparks at the time, which has really mushroomed since
4 I was in there. I am also a former co-owner of Dry
5 Valley Ranch, which is a 2,000 acre ranch about eight
6 miles south of Macoia, California. 800 acres in
7 California, 1200 acres in Nevada. I'm also a state
8 registered investment advisor for B & A Sector Watch.
9 I have a Series 65 credential. I'm Bob Benkovich,
10 LLC, which is for income tax returns and tax
11 preparation services. I also have a Nevada State
12 Life and Health Insurance credential, and I have a
13 doctorate in social psychology.

14 Where I'm coming from is I'm opposed to the
15 groundwater development project in its entirety, and
16 I'm hoping for a No Action conclusion from the BLM
17 down the road. That's my bias and I'll say that up
18 front.

19 The task and mandate given to this committee
20 on this particular water rights issue is a challenge
21 I can only begin to appreciate. The BLM will need to
22 pull a rabbit out of a hat on this one to keep
23 everybody seeking your influence and your final
24 decision happy on this pipeline project.

25 Previous input given this committee, which

1 I've tried to stay on top of, has covered just about
2 the entire spectrum of concerns people have. Utah
3 people are worried about water they thought they
4 owned being carried out of their basin. Central
5 Nevada ranchers and farmers voiced similar concerns.
6 Environmentalists worry about the semiarid desert we
7 live in and the disturbances this will have on the
8 central Nevada ecosystem. Pollution, dust, and the
9 future of plant and animal life were issues this
10 committee was asked to factor in.

11 Las Vegas is either a city growing by leaps
12 and bounds with greater future ahead of it, or Las
13 Vegas is a spendthrift child that has overspent its
14 Hoover Dam allowance. Sarcasm from the citizens on
15 the street in Reno and Las Vegas carries both
16 dislike. This is just what Las Vegas needs, the okay
17 for another 2,000 room tower, each room with its own
18 flush toilet and shower. And my particular favorite,
19 the recent pole conducted in Clark County which shows
20 that the majority of residents there oppose the
21 project.

22 So with all this input for the committee to
23 consider, you are urged to steer us in the right
24 direction so we can make a good, moral decision here.
25 Now with my background codified in the morality of

1 the five great religions of the world is this notion
2 that assets, and in this case it's water, belong to
3 the living who have righteous interests as defined by
4 forces that be at the current time. It would be nice
5 for the average citizen to hear the word "no" to
6 forces pushing this water confiscation idea. Perhaps
7 man is not designed to live within his means and
8 needs to appropriate his neighbor's assets under any
9 guise or rationale that one believes will work.

10 The groundwater development project name
11 itself is catchy. It begs the question, and it's a
12 misnomer, why does natural water ever need
13 development? Let's not kid ourselves, this is really
14 the groundwater confiscation project.

15 So in conclusion, everything considered, I'm
16 sure the committee will do everything they can to
17 steer us in the right direction so the full board of
18 BLM can make their final decision. Were I in your
19 shoes, I would do everything I could to make sure
20 this pipeline never gets underway. Again, I do not
21 envy the task and your mandate on this issue. Thank
22 you.

23 DR. MICHAEL DWYER: Thank you.

24 FACILITATOR JOHN GODEC: Susan Lynn.

25 SUSAN LYNN: My name is Susan Lynn, L-y-n-n.

1 And my work address is 1755 East Plum Lane, Suite
2 170, Reno. I am a coordinator for the Great Basin
3 Water Network described as a coalition of local
4 governments, tribes, organizations, businesses,
5 ranches, conservationists and individuals who care
6 about protecting water at its source.

7 Thank you for providing us with this DEIS
8 and for the opportunity to publicly comment. The
9 DEIS is a gift of information but it also raises many
10 more questions and omits key information. The cost
11 of the project is just plain flat missing. This
12 project would be devastating to rural Nevada. The
13 drawdowns that this project proposes do create
14 another Owens Valley. Look how many years that
15 project has been in litigation. Look at how much
16 money Los Angeles has thrown at monitoring and
17 mitigation and it's still not enough.

18 The SNWA pipeline project isn't one that
19 keeps giving. No, it keeps on taking and taking and
20 taking. The cost projected as \$3.5 billion is the
21 tip of the iceberg. No one has publicly projected
22 the cost of this entire project and said how it will
23 be paid for. The DEIS doesn't. SNWA's own plan
24 doesn't. So why should people support this project
25 if they don't know the cost, true and extended? We

1 think it's because it's so expensive that Southern
2 Nevada Water Authority doesn't want people to know.
3 We don't think that Clark County can afford it, we
4 don't think Nevada can afford it, and we don't think
5 even the United States can afford it either. The
6 days of pork are over.

7 The DEIS does not seriously look at the
8 negative impacts to Southern Nevada from this
9 pipeline. I think I counted four pages today on
10 impacts of more traffic that is said to be a benefit
11 of water, increased air quality problems, associated
12 health care costs, other public safety costs, and
13 education costs related to their anticipated return
14 to rampant growth necessary to support this project,
15 and believe me, rampant growth will be necessary.

16 It fails to address SNWA's diminished
17 funding sources up from the Southern Nevada Public
18 Lands Management Act funds, hook-up fees, sale tax,
19 rates, and bonding impacts. This pipeline is huge.
20 It is damaging. It has gone on far too long.
21 Southern Nevada Water Authority applied for
22 unappropriated groundwater in White Pine, Lincoln and
23 Nye counties over 22 years ago. It was speculative
24 then that under the guise of water for future
25 development and now 22 years later it is still

1 speculative and still water for the future. It has
2 deprived White Pine County and Lincoln County, to say
3 nothing of the tribes, the ranchers, their
4 opportunity for their own economic development for
5 over 22 years, and that will continue to do so. The
6 DEIS has not assessed that specific impact, that I
7 can find anyway.

8 This project is a pipe dream, if you'll
9 pardon my pun. The drought in the Colorado River
10 basin has been a drought for the Great Basin as well.
11 The source of water in this project is not sufficient
12 nor is it sustainable. SNWA justifies this project
13 by saying it needs drought projection, but out of the
14 other side of its mouth it says the water is for
15 growth decades later. So the need and the purpose
16 are not clear, nor have they been sufficiently
17 justified.

18 There are other alternatives that have been
19 dismissed in this document. And back in 1994 a
20 statement in High Country News, a Southern Nevada
21 Water Authority official called this project, The
22 most singularly stupid project. And we think it
23 still is. The price is too high in human resources.
24 It is too high financially. It is too high
25 environmentally.

1 We should not repeat the mistakes of our
2 past. Eastern Nevada and western Utah should not
3 become another sacrificed area. There is no
4 mitigation for the loss of water and there is no
5 excess water. We ask the BLM to select the No Action
6 alternative plainly and simply. Thank you.

7 DR. MICHAEL DWYER: Thank you.

8 FACILITATOR JOHN GODEC: Bob Fulkerson.

9 BOB FULKERSON: Hi. Good afternoon. My
10 name is Bob Fulkerson. I'm a fifth generation
11 Nevadan and I'm state director of PLAN.

12 FACILITATOR JOHN GODEC: Mr. Fulkerson,
13 could you spell your name and give us your address
14 please.

15 BOB FULKERSON: Sure. The name is
16 Fulkerson, F-u-l-k-e-r-s-o-n, 821 Riverside Drive,
17 Reno, 89503.

18 You know, it's real fitting to have this
19 hearing here in Sparks on the Las Vegas water grab
20 because a few miles downstream from here one of the
21 first massive water diversion projects in the United
22 States started about 110 years ago. Senator Francis
23 Newlands had read the diaries of John Wesley Powell's
24 trip down the Colorado River and convinced President
25 Roosevelt to create the Bureau of Reclamation, which

1 created the Newlands project to divert water from the
2 Truckee River to the Lahontan Valley. It was the end
3 of the 19th century, and the 20th century seemed to
4 hold in store limitless water and other natural
5 resources that were out there just available for the
6 plundering.

7 And the Las Vegas water grab is borne out of
8 these 19th century ideas, yet even in this 21st
9 century world some people still cling to the myth
10 that water is infinite and our only salvation lies in
11 rampant development at any cost.

12 This current financial crisis, particularly
13 in Nevada where we're the hardest hit on unemployment
14 and foreclosures, it provides a great opportunity for
15 us to take an honest look at what has proved to be an
16 unsustainable economic model. Nevada's recession has
17 been like a war on many of the people who live here.

18 T.S. Elliott wrote about World War I, that
19 we have the experience but missed the meaning. You
20 might say the same thing about Nevada's history of
21 booms that have gone bust, especially as we try to
22 dig our way out of this current financial collapse.

23 Nevada simply can't afford the water grab.
24 Las Vegas is already the second most regressive city
25 in the country. And increased fees to pay for this

1 pipeline are just going to add up to the hardship of
2 working class ratepayers and those on fixed incomes.
3 And cash strapped local governments, some who are on
4 the verge of bankruptcy, don't need additional
5 liabilities, and certainly the State of Nevada can't
6 afford to fund this thing.

7 Now I can empathize with a few who say we
8 really need those 900 construction jobs that this
9 pipeline is going to create. You know, this project
10 was slated at \$3.5 billion, so that equates to about
11 \$3.9 million per job. I mean, that's pretty
12 expensive for job costs. And it shows again we can't
13 afford to build this pipeline for mere 900 jobs that
14 are likely a decade or more from being created and
15 that's going to destroy a vast portion of our state.

16 But we can afford to put our people back to
17 work who can build public infrastructure neighborhood
18 by neighborhood to make Las Vegas more livable and
19 sustainable. Retrofitting Southern Nevada with the
20 most water efficient devices, investing in public
21 transit and energy efficiency, that would create far
22 more jobs and far less cost than the pipeline. So
23 why not set our sights on creating the first truly
24 sustainable 21st century metropolis in the world.
25 No, instead we have a draft environmental impact

1 statement for a 19th century project that reads like
2 an execution order for a revered soulmate who has
3 never done us wrong.

4 The DEIS describes a tortured, inevitable
5 death of our beloved Great Basin. It speaks of
6 wiping out hundreds of miles of creeks, hundreds of
7 springs, polluting the last clean air basin in the
8 state with tens of thousands of tons of fugitive
9 dust, and killing off once flourishing communities of
10 fish, wildlife, birds and plants.

11 Eastern Nevada's rural economy is as fragile
12 as our desert ecology and that will also likely
13 collapse. And once proud and self-sufficient
14 ranchers, farmers, Native Americans and other rural
15 dwellers are going to have to flock to the cities as
16 water refugees, or hopelessly cling to their dry land
17 as just colonial possessions of Las Vegas. How is
18 this going to be mitigated and how is the DEIS going
19 to analyze this?

20 Since my first hike to Mount Moria about 30
21 years ago, I go there again and again. You know,
22 it's the only way I know how to connect with a power
23 that's greater than myself. And last year I
24 celebrated my 50th birthday by spending five days
25 alone on this amazing place, and I backpacked my way

1 up one creek and down the other, you know. And I've
2 been all over the country and I've been blessed to go
3 in many other countries hiking, touring and
4 backpacking. There's no other place in the world
5 like that northern Snake range.

6 And I see it says one minute but I hope you
7 deducted the time you asked me that question, all
8 right? In any case, for water grab proponents to say
9 that the lifeblood of this mountain is water is an
10 unused resource, that's either blasphemy or stupidity
11 or it's plain arrogance, and I don't know how SNWA
12 can say it's an unused resource.

13 Look at these pictures of Henry's Creek.
14 Look at these pictures of Hampton Creek that I took
15 last year. Does anybody think that this is unused
16 water? It was put there to sustain life. It wasn't
17 put there to run down the gutter in Las Vegas or to
18 end up on their lawns.

19 If you drive around Las Vegas like I do, I
20 always see water on the sidewalks. You know, is that
21 the fate of these creeks of our Great Basin streams
22 and springs up there, to end up wasted in some Las
23 Vegas suburban gutter or to end up as reclaimed water
24 on a golf course?

25 The only way the BLM can satisfy its legal

1 obligations to protect our resources for current and
2 future generations is to select this No Action
3 alternative. And if not you can rest assured that
4 we, and I mean we, it's a big "we," it's young
5 people, it's people that defeated the MX 30 years
6 ago, people that fought against Yucca Mountain,
7 people of all different political stripes from all
8 over the country, we will defeat this thing in Carson
9 City, in Congress, in the voting booth and in the
10 streets, because we know that Nevada can't afford to
11 kill itself with this project. Thank you.

12 DR. MICHAEL DWYER: Thank you.

13 FACILITATOR JOHN GODEC: Jim Patera.

14 JIM PATERA: Hello. My name is Jim Patera.
15 I live at 1293 Brenda Way in Washoe Valley.

16 FACILITATOR JOHN GODEC: Could you spell
17 your name please, Mr. Patera.

18 JIM PATERA: Patera, p-a-t-e-r-a. The
19 reason why I'm here today is because of my interest
20 in the caves in the area. I've been in caves for
21 about 40 years. And when I first heard about this
22 proposal, I was concerned over what might happen to
23 the life of the cave.

24 After attending the first meeting and
25 talking to a few of the BLM people, I started

1 wondering will they address the caves properly. Will
2 they be able to answer some of the questions I had
3 about geobiology of the cave, about the life, the
4 invertebrate life that exists in the cave. I didn't
5 get good answers.

6 When this proposal came around, a new draft
7 EIS came around, I called the BLM and asked a couple
8 more questions, and I was surprised at what I got.
9 You see, several years ago when I first heard about
10 the plan to remove water from Central Nevada, I was
11 surprised that anyone who looked at it and called the
12 place Dry Lake for large water removal. Surely
13 Nevada and the people here have been known to make
14 some big wagers to casinos, but the odds for success
15 of this gamble are not very good.

16 When the Clark, Lincoln and White Pine
17 Counties Groundwater Development Project Draft EIS
18 arrived, I spent several hours reading it through
19 primarily to see how it addressed the area caves. As
20 I read I started to notice something odd about the
21 writing, although I find the overall document to be
22 mostly factual, I also became aware of a general bias
23 towards any play-down of all negative concerns.

24 The draft EIS seemed to be written by a very
25 knowledgeable shyster, and when I got to the very

1 last sentence of the very last paragraph on the very
2 last page of the EIS, I knew something was amiss.
3 What was that last sentence? On page ES-75 it reads,
4 Concern has been voiced by the National Park Service,
5 the U.S. Fish and Wildlife Service, local counties
6 and others about the potential for impact to
7 groundwater dependent resources of interest from the
8 proposed groundwater withdrawal associated with this
9 project. The last sentence, last paragraph on the
10 last page.

11 But when I went through these hundreds or
12 perhaps thousands of pages of EIS, where were those
13 documents or concerns listed? When I asked the BLM
14 about them, I was told that these documents were
15 confidential and I wouldn't be allowed to see them.
16 So what's in those documents of concern which the BLM
17 feels so troublesome that they need to be suppressed?

18 I filed a Freedom of Information Act
19 requesting that for the BLM. Deny. Everyone should
20 be asking, What information is in those documents
21 that's so damaging that they need to be suppressed,
22 so top secret that they can't be released in any
23 form, even with the blackout pattern?

24 As I continued to read through the
25 information stored on the two CDs that came with the

1 executive summary draft, I continued to find
2 misleading statements and omissions that raise
3 concerns. For example, in appendix F3.3-7, predicted
4 change in groundwater levels: There are many charts
5 showing significant drawdowns and the cumulative
6 affect of plus 75 years. Drawdown numbers shown on
7 areas as high as 200-foot drawdown. Yet when I go to
8 appendix F3.3.10 and F3.3.11, the only tables shown
9 are for drawdown of a mere ten foot. One might ask
10 what those tables might project should the drawdowns
11 be more realistic.

12 Another area that I did not find in the
13 executive summary is the long-term affect on human
14 inhabitants living in the area. If someone were to
15 look at the lung problems reported by residents of
16 the Owens Valley following the drying up of the lake
17 caused by the L.A. water diversion, one could easily
18 find issues of concern. Where at one time there was
19 a lake in Owens Valley that floated a ferry to supply
20 area miners south of Big Pine, now it's only a dry
21 lake bed.

22 Instead of plants and animals, the valley
23 now contains only pipe. So much dust, no place to
24 live, and doctors have noticed that fine grains of
25 sand is collecting in human lungs causing more cases

1 of lung disease than would ordinarily be the case.
2 Just think of the lawsuits that will surely follow
3 drying up of the valley's lakes.

4 As I talked to some BLM officials I kept
5 hearing that the Great Basin National Park would not
6 be affected in any way by the water removal. When I
7 asked about the belief, the individuals told me the
8 water removal from one valley would have no affects
9 on neighboring valleys. This is inconsistent with
10 what I've read and learned about the geology in the
11 Great Basin area.

12 In the book Geology of the Great Basin, the
13 author writes in his section on groundwater, not all
14 reservoirs fill to the surface. Many have subsurface
15 leaks. Water pressure forces water through fractures
16 or pore spaces in bedrock. The mountain range
17 between the valleys may act as effective barriers for
18 surface water, but not underground movement of water.
19 Infiltration through the permeable rock, the water
20 may leak through the range into the next lowest
21 valley creating regional flow systems in the
22 subsurface.

23 Questions to geologists, one a professor in
24 geology and the other a USGS geologist, both told me
25 that the geology strata in the projected area

1 consisted of highly faulted porous rock. The area
2 has many known macro and micro caves which clearly
3 defines hydrologically porous carbon rock.

4 In addition to hundreds of millions of
5 years, one would obviously lead to a highly faulted
6 and fractured rock. All of this would indicate a
7 large potential for hydrological conduits to exist
8 between all the region's valleys, yet the executive
9 summary draft tries to express the idea the valleys
10 are not hydrologically connected and that removal of
11 water from one valley would have no effect in its
12 neighbors.

13 Has history shown the authors of this
14 document nothing about subterraneous water movement?
15 One great example was the case which was made by the
16 farmers in the Pahrump valley. It was written
17 that --

18 FACILITATOR JOHN GODEC: Excuse me,
19 Mr. Patera, can you wrap up please.

20 JIM PATERA: Yeah, well, I can skip through
21 a lot of this stuff here.

22 FACILITATOR JOHN GODEC: If you have a
23 written document, please leave it with us and we'll
24 make sure that we get all of it in its entirety into
25 the document.

1 JIM PATERA: If I might finish here. A wise
2 person might ask why these federal documents of
3 concern the BLM feels need to be suppressed. Do they
4 hold information that will make it harder for the
5 author of the EIS to sell the project? Could these
6 documents give reasons that the final decision of the
7 federally held BLM managed lands should not be in the
8 hands of a political approved Nevada state engineer
9 but instead of the federal people who have the
10 federal reserve water doctorate who should take
11 precedence over the determination of the plans?

12 And I do have a copy that I will be happy to
13 present to you. And unfortunately I only get to read
14 half of it. I thought that this was going to be an
15 open meeting, I didn't know that we were going to be
16 limited to what you wanted to hear. Thank you very
17 much.

18 FACILITATOR JOHN GODEC: We're simply trying
19 to keep it fair.

20 JIM PATERA: Thank you.

21 FACILITATOR JOHN GODEC: Frank Whittman.

22 FRANK WHITTMAN: Howdy. My name is Frank
23 Whittman, that's W-h-i-t-m-a-n. P.O. Box 239,
24 Austin, Nevada 89310. I'm the vice chair for the
25 Lander County Public Lands Board.

1 I believe that most of the ecological issues
2 brought up, have been brought up and will be brought
3 up today. Some of the concerns that we, on the board
4 specifically, wanted to make sure are on the record
5 was we didn't see a really good breakdown of the cost
6 alternative for desalinization, and I don't think
7 that the BLM should proceed until that we, the
8 public, and the ratepayers, citizens of Las Vegas see
9 those numbers.

10 We also don't believe that the costs are
11 anywhere close to what the final project will be to
12 build it. And our concern here again is once you're
13 in for a penny, you're in for a pound. And that once
14 the pipeline is built, or perhaps drawn down and
15 through years of endless litigation, which I suspect
16 will follow, that perhaps a compromise will be met
17 and other basins would then be mined for water, you
18 know, a shared payment thing for all of rural Nevada.

19 When you draw an arc, a compass arc from Las
20 Vegas out through the rural areas, it's not just this
21 area, Snake Valley, Lehman Caves, it affects the
22 southern part of Lander County, the Toiyabe
23 wilderness, it affects the entire southern part of
24 the state. So we, the Lander County Public Land
25 Board, want to go on record in recommending to the

1 BLM a No Action alternative. Thank you very much.

2 DR. MICHAEL DWYER: Thank you.

3 FACILITATOR JOHN GODEC: Rose Strickland.

4 ROSE STRICKLAND: Am I the last speaker?

5 FACILITATOR JOHN GODEC: No, ma'am, you're
6 not.

7 ROSE STRICKLAND: I got shuffled back in.
8 My name is Rose Strickland. I live at 619 Robertson
9 Court, Reno.

10 I'm a conservationist and have been
11 following this proposed water grab since 1990 when
12 thousands of Nevadans filed protests with the state
13 engineer, and more recently since 2004 when the
14 Southern Nevada Water Authority resuscitated its
15 massive pumping exportation scheme.

16 I have been reviewing EISs for most of my
17 life but this one is unique. I appreciate the
18 frankness with which the draft EIS discloses the
19 catastrophic hydrological impacts of this groundwater
20 mining proposal. They're still horrifying but still
21 refreshing after listening to SNWA's loud denial of
22 any impacts of their project.

23 Unfortunately this level of analysis did not
24 continue when BLM considered the project's impact on
25 public lands and resources, nor does the draft meet

1 other NEPA requirements. So many questions come up
2 as I tried to read this 4,000 page document that an
3 additional 60 days would help me and others do a
4 better job of going through it.

5 My first question is is this project needed?
6 If there is no credible water demand then there is no
7 need for BLM to issue a right-of-way for a water
8 pipeline. Why didn't the BLM require SNWA to update
9 its three-year-old resource plan adjusting water
10 demands to the declining population since the
11 economic collapse that we're all suffering from? And
12 it's not rocket science to realize rural groundwater
13 cannot be used for both drought protection and for
14 new growth. So why did BLM include both mutually
15 exclusive goals in the project purpose?

16 The draft EIS also says project construction
17 can be delayed for years, depending on the drought,
18 financing, need, etc. If this is true, why is the
19 BLM considering issuing a right-of-way permit now?

20 Now NEPA requires a full range of
21 alternatives in an EIS, but this draft EIS doesn't do
22 this. The draft EIS dismisses alternatives such as
23 desalinization and never even considers an
24 alternative on increasing water efficiency because
25 they are, quote, not economical or, quote,

1 financially unfeasible.

2 Since it apparently uses information as the
3 basis for disqualifying reasonable alternatives, why
4 isn't the cost of SNWA's project disclosed in the
5 proposed action? As I claw through this document I
6 am finding a myriad of details, tables, maps, figures
7 but I'm not finding if the disappearing groundwater
8 will lead to the depopulation of Eastern Nevada and
9 Utah's west desert, or if dewatering would destroy
10 the famous caves of Great Basin National Park.

11 I couldn't find how BLM is going to protect
12 our public lands and resources from the impacts. But
13 when I look at the section on irretrievable and
14 irreversible commitments of resources in chapter
15 four, I find BLM has admitted catastrophic losses of
16 habitat for wildlife and fish, wild horses,
17 recreation, air quality, vegetation, and endangered
18 species.

19 Never have I read an EIS with so many known
20 unknowns and unknown unknowns, such as basic
21 information on location and number of well sites, how
22 much groundwater would be pumped, which springs would
23 dry up, when the project would be built, even how big
24 the pumps would be. And most disappointingly I find
25 a little snippet by BLM to actually protect public

1 lands and resources, such as keeping water available
2 for wild horses or forage for horses and livestock or
3 water for recreational uses. I could not even find
4 out whether BLM, because of its previous stipulated
5 agreement with the applicant, has forfeited the right
6 to require any actual mitigation except to agreed to
7 talk to the applicant about pumping problems.

8 I feel like we Nevadans are at a Mad
9 Hatter's tea party. Why is BLM proceeding with the
10 EIS when the applicant has no water to transport, no
11 immediate need for this water, may not be able to pay
12 for the project, and has lots of cheaper and less
13 environmental damaging alternatives it refuses to
14 consider, and when BLM doesn't know what the
15 environmental impacts of this theoretical project
16 will be, how to protect public lands and resources or
17 whether voluntary mitigation would even work?

18 Last question for today: How can BLM meet
19 its Congressional mandate to issue a right-of-way for
20 the proposed SNWA project and also meet its
21 responsibilities to protect public lands and
22 resources from this area of adverse impact of what
23 this draft EIS proves is a groundwater mining
24 project? BLM is asking in the draft EIS for ideas
25 from the public on how to protect our public lands

1 and resources. This is not a discretionary
2 requirement. Doesn't BLM know how to do this? Thank
3 you.

4 DR. MICHAEL DWYER: Thank you.

5 FACILITATOR JOHN GODEC: Jan Gilbert.

6 JAN GILBERT: Thank you very much. Jan
7 Gilbert, G-i-l-b-e-r-t. I live at 6185 Frank Town
8 Road, Washoe Valley, 89704.

9 First I want to thank you for moving up the
10 time to start the hearing for those of us who have
11 other commitments. I appreciate your flexibility.

12 I've been a resident of Nevada for 29 years.
13 It's gone by quite quickly. And I have watched Las
14 Vegas grow. My work requires that I go down there
15 and see the madness and the growth, and now we're
16 seeing that one in three houses are in foreclosure.
17 The question arises of what on earth are we doing
18 when there's not the need for this water in Las
19 Vegas? There are people leaving this state, not
20 coming to the state.

21 In 2005 my organization, PLAN, did a water
22 tour of the rural Nevada. I got to see springs. I
23 learned a lot about rural Nevada and the people who
24 live out there, and they have kept records of that
25 water for hundreds of years. Their family had

1 records written of the abundance and the lack, and
2 they adjust their lives accordingly. That's what
3 should be done in Las Vegas. They must adapt to this
4 lack of water that they have in Las Vegas and not
5 steal from the very people who are stewards of the
6 land in rural Nevada.

7 This cost estimate continues to change. I
8 remember back in 2005 I think we used the figure 1.5
9 billion, now I see it's 3.5 billion. Everyone knows
10 that is not going to stay constant. It is going to
11 rise and I think that is certainly something we need
12 to think about in an EIS is who's going to pay for
13 that. Are the current residents of Southern Nevada
14 going to pay for that? Is everyone throughout the
15 whole state going to pay for that? Well, personally
16 I don't want to pay for the destruction of our
17 beautiful state and rural Nevada.

18 This environmental disaster will never be
19 reversed, and I think that's something that is
20 missing from the EIS is there's not an adequate
21 explanation of how we will reverse these adverse
22 effects. How will we restructure a rural Nevada when
23 everyone is gone because there is no water? To me
24 we're not looking at the bigger picture here, we're
25 looking at growth in Southern Nevada, and SNWA wants

1 to push this no matter whether they're growing or
2 they're diminishing.

3 As many of the more eloquent speakers have
4 said, there are many issues on the EIS that I just
5 can't believe we're even moving forward with this. I
6 hope that you will take the No Action alternative.
7 We feel there needs to be more time, more study.
8 There's so many things missing. You've already heard
9 caves, Great Basin, our beautiful national lands in
10 rural Nevada will be gone. So I would urge you to
11 oppose this, and thank you very much for all the time
12 you've put out for this hearing.

13 FACILITATOR JOHN GODEC: Michael Garabedian.

14 MICHAEL GARABEDIAN: Good afternoon. I'm
15 Michael Garabedian. I live at 7143 Garden Vine
16 Avenue, Citrus Heights, California 95621. I'm here
17 representing Water Keepers, a Nevada nonprofit that
18 formed three years ago to keep water in the basins,
19 its basins of origin.

20 In 1984 at the American Association for
21 Advancement of Science annual conference they had a
22 symposium on mega-projects. Supposedly it was called
23 the Policies and Technology of Large Scale Projects,
24 Lessons from Recent Experience in the United States
25 and Abroad. This has grown as an engineering and

1 academic scientific field. I think a key point was
2 the Unesco Declaration on science and the use of
3 scientific knowledge for the 21st century. This was
4 a 1999 declaration. And in their findings they say
5 scientists with other major actors have a special
6 responsibility for seeking to avert applications of
7 science which are ethically wrong or have an adverse
8 impact.

9 In the third part of the declaration under
10 scientific development they point out, and I won't
11 elaborate, science and its applications are
12 indispensable for development. And there is set up
13 now at Unesco the World Commission on Ethics of
14 Scientific Knowledge and Technology, and this
15 declaration is a touchstone for this project as far
16 as we're concerned.

17 Let me talk about a couple of things related
18 to this broader context. My mom left the valley when
19 she was two years old and moved to California with
20 her parents, left the ranch, and the people there
21 feel they are next. "We are next" is what you hear
22 outside the EIS project area. Now that is a question
23 of cumulative impacts and growth reducing impacts.

24 Now, the BLM rejection of having cooperating
25 agencies such as Eureka County, Elko County, Nye

1 County, the rejection of those is a failure. They're
2 rejected because they are not within the project area
3 is the rejection, what the rejection letters say, and
4 because they don't meet the criteria. They don't
5 have jurisdiction by law or special expertise with
6 respect to any environmental issue, which should be
7 addressed. Well, I think the EIS lacks credibility
8 not to have used these counties as cooperating
9 agencies. And I think that BLM should convene these
10 people to revise the EIS and use them to deal with
11 that part of the need to do the environmental
12 analysis.

13 Now the study of mega-projects has continued
14 over the years. Something that has been very clearly
15 found is that big public investment projects like
16 this, big public investment projects in urban areas
17 started coming to a halt in the '60s and '70s and
18 have been replaced by private investment. Now in
19 rural areas it's more of a mixed bag. Now here we
20 have a rural area being threatened by public
21 investment for an urban water supply. This is a
22 serious problem. You have to ask ourselves how is
23 this happening? What are the factors that are
24 allowing this to happen?

25 NEPA should be applied in the way I

1 mentioned to the issues outside the project area, but
2 the absence of the Federal Land Policy Management
3 Act, the absence of regulations, which I've addressed
4 to you before, there needs to be -- the law of FLPMA
5 requires we have regulations on input, public input.
6 Those regulations should be what you are turning to
7 to involve the public and scientific community in
8 these major decisions.

9 The failure to have those regs is a critical
10 problem that really has to addressed. And after the
11 EIS, the final EIS is out, it is at that point that
12 BLM should hold, have a notice for public hearings on
13 the project, a notice that includes the record of
14 decision, as I mentioned before, and that includes if
15 there's a right-of-way permit to be given that has an
16 issuance to the public of the terms and conditions of
17 that, and have these public hearings in the same
18 locations but also outside the affected states should
19 have an opportunity for comment. The questions of
20 the Colorado River and other states involved suggest
21 the need for those follow-up hearings, those
22 right-of-way hearings in California, Denver and so
23 forth. Thank you.

24 FACILITATOR JOHN GODEC: Doug Busselman.

25 DOUG BUSSELMAN: I'm Doug Busselman,

1 B-u-s-s-e-l-m-a-n. I'm the executive vice president
2 of Nevada Farm Bureau. My comments this evening,
3 this afternoon are for Nevada Farm Bureau. Our
4 mailing address 2165 Green Vista Drive, Suite 205,
5 Sparks, Nevada 89431.

6 Nevada Farm Bureau is a grassroots advocacy
7 organization committed to supporting the interest of
8 our farmer/rancher members and the rural communities
9 which they are part of. As a grassroots
10 organization, our public policy position and
11 organizational engagement in issues are determined by
12 our farmer/rancher members.

13 As it relates to the Clark, Lincoln and
14 White Pine Counties Groundwater Development Project,
15 our members have had a long-term concern over the
16 ramifications of this project moving forward.
17 Although the draft EIS attempts to frame the Bureau
18 of Land Management's decision in the context of
19 determining whether to grant the right-of-way for
20 infrastructure to potentially deliver groundwater,
21 pumped from a host of well sites, we consider it
22 essential that the agency adequately analyze the
23 environmental impact of this project in a
24 comprehensive fashion.

25 Before launching into more of the details of

1 my comments, I'd like to express a significant level
2 of frustration in attempting to review the draft EIS
3 and consider meaningful comments that might be
4 effective in the decision process.

5 It seems to me that the draft EIS involves
6 throwing everything in the kitchen sink into the
7 conversation without having any context for how it
8 fits together. The variations in the possible routes
9 and alternatives don't shed any real insight into
10 what might be a mix for a decision on how the project
11 will be put together.

12 An example I'd like to share involved wells
13 with the construction phase. The documentation does
14 not tell whether they're using wells that they will
15 eventually pump for the project or if they are
16 temporary. So much of the information seems to come
17 out of nowhere with missing details on what fits
18 together with something else. As I'll cover in more
19 depth shortly, the draft EIS doesn't establish what
20 is relevant in the deliberation for the actions and
21 what is simply stuff about the project.

22 For many reasons, including the complicated
23 document itself, we urge that the NEPA process in the
24 groundwater development project be extended and the
25 decision process delayed. Instead of the comment

1 process having a deadline of September 9th, 2011, we
2 urge that at least a 90-day extension be granted. In
3 making this request I've been told that there may
4 have been a 30-day extension already granted, but I'm
5 not clear if that's the case.

6 It would further be our recommendation and
7 strong encouragement that this NEPA process be placed
8 on hold pending the actions by the Nevada water
9 engineer in determining the outcome of granting water
10 rights for the applications which have been filed.

11 Although the draft EIS explains the tiering
12 approach used in this application, we are troubled
13 that this piecemeal technique will result in an
14 incomplete evaluation of the consequences. It would
15 seem possible that actions taken on this portion of
16 the system will result in future actions being rubber
17 stamped without the willingness to make critical
18 determinations which might warrant changes to the
19 decisions already made.

20 We disagree that this draft EIS taking a
21 programmatic approach for the specifics of where
22 individual well sites will be located and the still
23 to be determined details of pipeline delivery
24 requirements to incorporate water movement to the
25 central pipeline system. We believe it would be more

1 appropriate to delay the decision process for this
2 draft EIS until those specifics are established and
3 presented in a comprehensive amended proposed plan.

4 In the event that the process be continued
5 without knowing where the well sites will be located,
6 we insist that each well site and transport pipeline
7 delivering water from the well to the central
8 pipeline be required to undergo its own individual
9 environmental impact evaluation. Provisions should
10 be included to require further evaluation for this
11 portion of the decision, should circumstances evolve
12 for reconsideration due to the yet to be determined
13 elements of the groundwater development project.

14 It's also important to have more complete
15 clarity to the actual scope of the decision to be
16 made in this process. The draft EIS indicates that
17 federal law requires the secretary to grant the
18 right-of-way requested by the Southern Nevada Water
19 Authority in Clark and Lincoln counties. There are
20 stipulations that this action link to FLPMA and NEPA
21 but does not, at least to our understanding, detail
22 the nuances of what degree or nature of this decision
23 is in context.

24 What I will do, because I'm running out of
25 time, I will submit the full documentation here that

1 I was going to present and also to say that we will
2 be presenting further written testimony as things go
3 forward.

4 DR. MICHAEL DWYER: Doug, is your statement
5 much longer?

6 DOUG BUSSELMAN: It's about a page.

7 DR. MICHAEL DWYER: Why don't we go ahead
8 and hear Doug and Jim. If you want more time at the
9 end, I think Doug is our last speaker, right?

10 FACILITATOR JOHN GODEC: Yes.

11 DR. MICHAEL DWYER: Go ahead and finish.

12 DOUG BUSSELMAN: I appreciate that. Thank
13 you.

14 While going through the motions of a
15 full-fledge NEPA approach, are the determinations for
16 the infrastructure in Clark and Lincoln counties
17 already forgone actions? If this is the case, we're
18 led to believe that the only real consideration is
19 whether the right-of-way authority should be granted
20 to the White Pine portion of the projected project.
21 This mishmash of what might be and already done
22 deals creates a level of confusion beyond what would
23 otherwise be an already complicated proposal.
24 Perhaps deliberately so.

25 The thing that is clear beyond any shadow of

1 a doubt is the massive impact the overall proposed
2 project will have. The size and scale of the
3 infrastructure system required to accomplish the
4 massive withdrawal of water amounts envisioned is
5 incomprehensible, and the promise that mitigation and
6 monitoring of restoration plans will alleviate all
7 negative consequences is challenging to accept.
8 Given this reality we are curious to learn the
9 criteria for evaluation and what is or won't be
10 acceptable for impacts to landscapes, ecosystems in
11 specific areas. It would seem if, as a land
12 management agency, BLM is able to grant such an
13 alteration and allow this degree of effect, what
14 would be off limits beyond the capability of gaining
15 approval on anything else in the future?

16 As we are spending more time in our
17 evaluation of the rangeland and grazing section of
18 the draft EIS, we will plan to submit more specific
19 comments in writing. We do, however, wish to observe
20 that we have not seen the consideration that we
21 believe is essential in presenting the socioeconomic
22 impacts short and long-term for this proposal. A
23 more thorough and comprehensive treatment is
24 necessary to cover the justification of the cost
25 versus the benefits to be realized if the project is

1 approved. And again thank you for the extra time.

2 FACILITATOR JOHN GODEC: We have a number of
3 people who are just arriving and we have some
4 additional speaker cards so I think we're going to
5 push ahead here, if that's all right. Karen Boeger,
6 is that correct?

7 KAREN BOEGER: I just walked in so I'm going
8 to wing this. I know that you heard already from a
9 lot of people far more knowledgeable than I that have
10 already studied this document and I must confess I
11 haven't and I've not got into it, but I'm speaking
12 primarily as a board member of the Nevada chapter of
13 Backcountry Hunters and Anglers and as well as coming
14 from several -- two families of lifetime hunters and
15 anglers that go back probably to prehistoric times.

16 So our concern -- well, we share the many
17 concerns that the water group has I'm sure shared
18 with you today. Our are main concern is the wildlife
19 and the effects, the potential effects on the
20 wildlife, the wildlife habitats, hunting and fishing
21 opportunities, and because of that also the potential
22 economic negative effects on rural communities. And
23 ironically enough I know in White Pine County many of
24 the hunters that come up there and share in the
25 wealth with the county are from Las Vegas. So that's

1 my main concern. And I'm going to really scrutinize
2 how well you analyzed it from that aspect, that
3 potential loss both to wildlife, wildlife habitat and
4 the economics of the rural areas because of that.
5 That's my comment. My address is 5055 Wilcox Ranch
6 Road, Reno, 89510.

7 FACILITATOR JOHN GODEC: David Von Seggern.
8 Mr. Von Seggern, if you could spell your name and
9 give us your mailing address.

10 DAVID VON SEGGERN: For the record my last
11 name is spelled V-o-n, S-e-g-g-e-r-n, 2585 Sunline
12 Drive, Reno Nevada.

13 I came this afternoon, I'm not going to
14 spend a lot of time talking about it, but I intend to
15 comment in writing on the draft EIS later on, but I
16 just wanted to say in general I've been to Owens
17 Valley. I've seen what that looked like after tens
18 of decades of years of water withdrawals there. I
19 know the story of Owens Valley and I think we're
20 recreating something here similar in Nevada.

21 I've also looked at some major projects in
22 Nevada. Actually we've gotten rid of one, which is
23 Yucca Mountain, but Nevada seems to be the place to
24 undertake these major projects that have a
25 devastating effect on the environment. The most

1 recent one we've dealt with -- I should add that I'm
2 conservation chair of the local Sierra Club group.
3 The most recent one we've dealt with is the Ruby
4 pipeline just now, a corridor all the way across
5 Northern Nevada that is plainly visible from the air
6 and which is now on a total cheat grass invading
7 corridor. So these are some of the things that we
8 anticipate will happen with the pipeline corridors
9 and transmission corridors associated with them.

10 And I'm very concerned about the national
11 park. The EIS indicates that there will be impacts
12 on the national park. You have only one national
13 park in Nevada, we're very proud of it, and I will
14 look closely at that park in the EIS and be
15 commenting on that.

16 DR. MICHAEL DWYER: Thank you.

17 FACILITATOR JOHN GODEC: Norm Harry. I hope
18 I'm pronouncing that correctly. Is Mr. Harry here?
19 For the record would you please spell your name and
20 give us your mailing address.

21 NORMAN HARRY: Yes, for the record my name
22 is Norman Harry, N-o-r-m-a-n, H-a-r-r-y. P.O. Box
23 76, Nixon, Nevada 89424.

24 I wanted to basically just make a couple of
25 comments on some of the material that I've been

1 reading. This is a very lengthy document. I was
2 past chairman for Pyramid Lakes up north. I've gone
3 through a lot of draft environmental impact
4 statements and this one really caught my attention in
5 the fact that most draft impact statements have
6 already identified most of the areas where the
7 problems were going to be and develop alternatives to
8 mitigate those problems and I didn't really see a lot
9 of that here.

10 And I was focusing mainly on what is going
11 to happen with the cultural resources. As you know,
12 our people, and when I say "our people," the Paiute
13 Shoshone people have been there from time immemorial.
14 The traditional teachings that have been handed down
15 from generation to generation for us is to live in
16 harmony with the environment.

17 I know any type of pumping project is going
18 to have impacts. I've seen what has happened here in
19 Nevada. We at Pyramid Lake have witnessed what has
20 happened in regard to water resources being
21 transferred out of basins with respect to the
22 Newlands project. We've seen our lake shrink
23 80 feet. We've seen all of the problems that it
24 caused with the fish migration passage.

25 Also we saw Winnemucca Lake, which was a

1 very important lake, Pyramid Lake's sister lake to
2 the east, completely dry up. I know we're talking
3 about pumping. I don't need to remind the State of
4 Nevada what's happened most recently in Mason Valley
5 and Smith Valley and the impact that the well
6 drilling all in the name of progress has had, and
7 that is most recently.

8 The TDS level in Walker Lake are probably
9 exceeding 19 parts per million. There are no more
10 cutthroat trout in the lake. I understand that this
11 federal legislation and they are trying to work now
12 in trying to see how they might better manage the
13 river system, so on and so forth. But that's been
14 recently and that's water that's just within the one
15 basin.

16 What I saw missing in this draft
17 environmental impact statement is the mere fact that
18 you're going to be dealing with tribes, tribes that
19 have a very special recognition within a
20 constitution. They're mandates from Washington
21 regarding consultation as applicable to all state and
22 federal agencies. I have yet to see any mention of
23 federal protection for tribes regarding NHPA, and
24 they failed to mention ARPA, the Archeological
25 Resource Protection Act, and how it all ties together

1 with the tribes.

2 I think that's very important when you're
3 talking about 300 miles of pipeline, transmission
4 facilities, roads, wells. You're going to be
5 impacting cultural resources. And I would highly
6 recommend that should this project go through, then
7 there has to be some of that federal protection and
8 federal regulatory requirements within the document,
9 and more importantly how you're going to work with
10 the tribes.

11 The Great Basin has been home again to our
12 Paiute Shoshone people. It's only been recently that
13 government has identified separately with reservation
14 but the Great Basin is still our home, all of it.
15 And so when there are impacts, and again with
16 teachings, I'm essentially here speaking for those
17 that can't speak for themselves, that's the mountain,
18 the water, the plants, the medicine, the foods. We
19 have a moral responsibility and an obligation to
20 protect what's here. It took a millennium to
21 establish that balance and it doesn't take very long
22 for mankind to unsettle that balance.

23 So with many eyes that are focused and wide
24 open regarding this project, it still seems to amaze
25 me how so many people can still be blinded knowing

1 that there are going to be significant impacts with
2 this project.

3 And so with that I wanted to thank you and
4 I'll be looking forward to talking to you more and
5 I'll be working with the tribes as well, keeping them
6 informed about what's going on with the project.
7 Thank you.

8 DR. MICHAEL DWYER: Thank you.

9 FACILITATOR JOHN GODEC: Craig Downer.

10 CRAIG DOWNER: My name is Craig Downer. I'm
11 at Post Office Box 456, Minden, Nevada 89423.

12 I reviewed the groundwater development
13 project draft and I'm very alarmed at the enormity of
14 what is being proposed. The Southern Nevada Water
15 Authority plans to drain vast areas of Southeastern
16 and eastern Nevada as well as parts of Utah in order
17 to import 57.6 billion gallons of water per year.
18 This is in order to fuel rampant growth of the Las
19 Vegas megalopias, and the audacity of Southern Nevada
20 Water Authority as proportional to its
21 thoughtlessness. The proposed drainage of water will
22 have a devastating effect on the vast and unique
23 desert ecosystem and would cause water tables to
24 recede by many feet. This would negatively affect
25 all forms of plant and animal life, including many

1 rare or threatened species, such as the endemic
2 pupfish.

3 As well as affecting important traditional
4 game animals such as black-tailed mule deer,
5 pronghorn, bighorn and elk, this water drainage
6 project would have a very damaging effect upon the
7 awe-inspiring wild horses and burros. As a wildlife
8 ecologist and fourth generation Nevadan, I have
9 observed, photographed, written about and defended
10 these wonderful presences throughout my life. They
11 should be regarded as returned natives to North
12 American, since the fossil record as well as genetic
13 examination proves that they originated upon this
14 continent and that when Europeans reintroduced them
15 here, they were, in fact, restoring the missing equid
16 component to the life community.

17 North America is the true cradle of
18 evolution for the entire horse family, Equidae, as
19 all three extant branches, in addition to others now
20 extinct, both originated and experienced their
21 long-standing evolution right here, including Nevada.
22 The horses and burros are a different type of
23 herbivore; they are not ruminant but rather
24 post-gastric digesters. This makes them natural
25 gardeners who fertilize the soils and spread intact

1 seeds of a great variety of plants wherever they
2 roam. This they do to a much greater degree than is
3 the case with ruminant digesters, precisely because
4 their post-gastric digestive system does not as
5 thoroughly degrade their food as does the ruminant
6 digestive system of cattle, deer, elk, bighorn and
7 domestic sheep, etc.

8 Also, wild horses and burros spread their
9 grazing pressure over vaster areas, and these animals
10 are capable of accessing remoter, steeper and rockier
11 land than many ruminants, particularly domesticated
12 cattle and sheep. Also they do not camp on riparian
13 or stream lakesides including meadow habitats as do
14 cattle, unless forced to do so by man's fences,
15 barricaded water sources, etc. These wonderful
16 presences are restorers and healers of Nevada, yet
17 they are being used as a scapegoat for what is
18 basically humans' destructive doings, especially the
19 overgrazing of livestock or the over-promotion of big
20 game species and the elimination of natural predators
21 such as puma that goes along with our society's
22 overemphasis upon livestock and big game production.

23 As builders of the humus content of soils
24 through their feces, wild horses and burros make
25 soils both more nutrient-rich and more

1 water-retentive, and this has a major positive effect
2 in enhancing the ecosystem and building up the living
3 sponge watershed at all levels, high or low, in any
4 given hydrographic basin, but we people must allow
5 these animals to fill their respective niches. We
6 must learn to value wild horse or burro containing
7 ecosystems and let them realize their own internal
8 harmony.

9 Such an ecosystem is a unique and special
10 community of living beings and kinds that restore so
11 much that is truly valuable here in Nevada as in our
12 nation and world. As members of homo sapiens, our
13 challenge is to learn to live in harmony with this
14 enhanced natural home. And we can start by finding
15 within ourselves sufficient humility to objectively
16 observe, read up about, and thus come to better
17 understand the wild horse containing ecosystem.

18 It is truly a Godsend for our state, as for
19 to the West in general, and I believe will prove key
20 to restoring a wholesome way of life, leading us out
21 of destructive pitfalls of too much material
22 indulgence and into a leaner but more spiritually
23 awakened lifestyle and value system. The latter with
24 heal and restore Nevada's life community, mend its
25 broken links, and avert it from its present blind and

1 arrogant same-old same-old path to destruction.

2 How much time do I have?

3 DR. MICHAEL DWYER: We've been going with
4 five minutes a person. Do you have much more on your
5 statement?

6 CRAIG DOWNER: Not too much more. I can
7 condense it.

8 DR. MICHAEL DWYER: Why don't you go ahead
9 and finish and what I'd like to do is then turn the
10 time back to Jim to finish his cave thing.

11 We do have more speakers after Jim?

12 FACILITATOR JOHN GODEC: We have one more
13 actually.

14 DR. MICHAEL DWYER: Okay. Is that all
15 right? Proceed.

16 CRAIG DOWNER: I'll skip this next
17 paragraph. I'll go on to the next. The lives of
18 many wild horses and burros and their great draw for
19 ecotourism would be terribly damaged by the proposed
20 drainage of eastern Nevada's water. This project
21 would have a devastating impact upon the small
22 remnant populations of wild horses and burros and the
23 hundreds of other plant and animal species that go
24 together with them.

25 Many springs upon which these species depend

1 would be adversely affected by the gigantic drawdown
2 of the regional aquifer, and it is disingenuous on
3 the part of those persons preparing this draft
4 environmental impact statement to omit presenting
5 maps and discussions revealing the zero to ten feet
6 groundwater drawdown this project would entail. This
7 omission ignores the pervasive large scale,
8 detrimental effect upon naturally living plants and
9 animals in the region who would be deprived of at or
10 close to surface waters. Even the drawing of a few
11 feet in the desert can drive many populations,
12 marginally surviving subspecies, and even entire
13 species to extinction. I know this drawdown of the
14 regional aquifer would have a lethal effect on the
15 scant remaining wild horses and burros here, as well
16 as hundreds of other species of interdependent
17 animals and plants that form the natural community.

18 What would our already abused Nevada look
19 like after this project? Take a take to the Near or
20 Middle East and you will see just what a barren and
21 relatively lifeless wasteland a once healthy desert
22 can become. And this devastating effect would not be
23 just for Nevada but also for significant parts of
24 Utah, including at least five wild horse herd
25 management areas: Choke Cherry, Confusion, Conger,

1 Kingtop and Sulfur, the latter of which contains a
2 rare Spanish barb population stemming from the early
3 Spanish explorers who came here in the 1600s.

4 Herds affected in Nevada would include many
5 I have visited, including the twelve in the Caliente
6 Complex, which though unfairly zeroed out by BLM Ely
7 District in 2009, legally could and should be
8 restored. The Eagle Complex of HMAs, Pancakes, and
9 the Triple B Complex of HMAs, as well as Antelope
10 East herd management area. These contain remnants of
11 historic Shoshone herds and their further
12 diminishment due to the major depriving of water by
13 the groundwater development project would strike at
14 Nevada's very soulful quality of life. With the
15 drawdown being contemplated, there simply wouldn't be
16 enough water left for these herds, and the federal
17 authorities would simply opt to zero them out. As
18 usual it would be the horses and burros who would
19 continue to be set up for elimination, those who
20 offer the most for truly restoring the lands. This
21 must not be allowed. Thank you.

22 FACILITATOR JOHN GODEC: Jim Eidel.

23 JIM EIDEL: Jim Eidel. I'm a cofounder of
24 Great Basin Bird Observatory and conservation chair
25 for Lahontan Audubon. I'm also a retired geologist.

1 My career, my hydrology efforts were confined to the
2 state of Illinois. As principal geologist for the
3 State of Illinois, I was responsible for nine years
4 for the water resources section and a great deal of
5 thought and input to the no net loss wetland
6 proposals for the State of Illinois.

7 The reason I'm here and last, I chose to be
8 last I think, is that it let me think about what I
9 could offer that I hadn't heard yet today. There's
10 been a number of wonderful presentations, but as a
11 geologist I would like to make a point that I haven't
12 heard either here or in Southern Nevada. Many of the
13 hydrologists connected with the state clearly make a
14 point that our water resources are not renewable. I
15 think the public in Nevada has begun to accept that.
16 We only need to look at the Las Vegas basin itself
17 and the reason that the Southern Nevada Water
18 Authority wants these waters from the two northern
19 counties north of Clark to see that water is not
20 renewable.

21 If we think in terms of human population
22 growth, and even the dynamics of population growth,
23 in our lifetimes, and mine is a little longer than
24 most of the people here, you can easily see, begin to
25 see what the effect is in terms of our water on our

1 water resources, but we are talking about a
2 geological instant in time. An instant. My life is
3 an instant. Your life is an instant. Maybe the next
4 instant will be the effect of the growth of Las Vegas
5 on White Pine and Lincoln counties.

6 But the EIS looks at -- what is the maximum,
7 75 years? And we're thinking 75 years is a long
8 time. It's not. The solutions we're looking at are
9 temporary at the very, very best. And the question
10 to ask, are the impacts that we foresee with our
11 limited knowledge, are these impacts worthwhile
12 undertaking in terms of the future of Nevada and the
13 United States?

14 I am a wildlife person. I've represented
15 wildlife on the Northwestern Resource Advisory
16 Council for the BLM for six years. I am much more
17 knowledgeable of the wildlife in northwestern Nevada
18 than I am in eastern Nevada.

19 The Great Basin Bird Observatory, which has
20 published the Nevada Breeding Bird Atlas, has looked
21 at bird densities in every Nevada habitat statewide,
22 including Lincoln and White Pine counties. These
23 data have generated the breeding bird data in terms
24 of whether they breed or they don't, whether they're
25 there and in what habitat.

1 But since the atlas was published, the atlas
2 work was just completed in 2000, the Nevada bird
3 count has continued on a similar density of points.
4 The breeding bird atlas was carried out on over
5 500 points randomly chosen stratified by habitat
6 statewide with additional points added for Clark
7 County under the auspices and funding of the Southern
8 Nevada Water Authority. Since the atlas was
9 published, the Nevada bird count has continued on a
10 similar number of random points stratified by habitat
11 in White Pine and Lincoln counties.

12 I feel like I just got started and I'm
13 looking at one minute remaining, so let me point this
14 out. I would recommend that you look at the EIS in a
15 timeframe that is not so short, and I think you
16 should look at it in terms of the affect on habitats
17 that will be affected using the bird density data
18 that has been calculated and is published in Nevada
19 Comprehensive Bird Conservation Plan that was just
20 published with input from all of the agencies,
21 federal and state, that include concerns about avian
22 wildlife. Thank you.

23 DR. MICHAEL DWYER: Jim, you were about to
24 tell us what the trends were in densities. What are
25 they doing?

1 JIM EIDEL: Well, I can't tell you what the
2 trends were without looking at the data. We're
3 talking about close to 400 species. We're talking
4 about 15 major habitats and a total of maybe 25
5 total. So the data exists in terms of bird densities
6 in a given habitat for up to ten years now. And the
7 data, much of the data is published in the Nevada
8 Breeding Bird Comprehensive Plan, and the rest of it
9 is certainly available from the Great Basin Bird
10 Observatory, which is a scientific organization with
11 no political agenda whatsoever.

12 DR. MICHAEL DWYER: Thank you.

13 FACILITATOR JOHN GODEC: Mr. Jim Patera.

14 DR. MICHAEL DWYER: Do you want to finish
15 your statement?

16 JIM PATERA: Thank you for the additional
17 time. After looking over my notes and I probably
18 would just like to surmise a little but, just run
19 across some of the high points.

20 One of the things I noticed in the executive
21 summary document is the geological section was when
22 they were talking about earthquakes. They mentioned
23 earthquakes of magnitude seven or higher. When I
24 went to the USGS website, I found that Eastern Nevada
25 was a lot more seismically active than that. And I

1 would highly recommend that if anybody wanted to
2 continue with this process, they start looking more
3 correctly at earthquake offense of level three or
4 lower. Just because human beings can't feel
5 earthquakes doesn't mean it is not going to
6 geologically affect the plate blocks in those areas,
7 and, therefore, the hydrology of the streams.

8 Throughout the summary document I kept
9 running across places where it was written that the
10 affect of climate change was unknowable and,
11 therefore, could not be addressed. I'd like to
12 address them. I see it's got three possibilities:
13 The environment could get wetter, the environment
14 could stay the same, or it could get drier. If the
15 environment gets wetter, then Las Vegas is going to
16 have ample water and doesn't need any of this. If
17 the water of the climate stays basically the same,
18 then what you're going to have is what this document
19 is all about, all right.

20 But climatologists are telling us to expect
21 change in the climate. The last possibility is the
22 climate is going to get drier, in which case there's
23 not going to be enough water for Las Vegas or even
24 the people in that area. So even in a gambling state
25 like Nevada, you lose two out of three. It's not a

1 really good gamble.

2 But come across here in the executive
3 summary it discussed the possible remedies to
4 problems arising from the proposed plan of
5 withdrawal; however, I didn't see anything of a
6 remedial action should some problem happen with
7 over-pumping.

8 Nowhere does it mention problems the
9 counties would have when the roads and utilities are
10 broke by dropping ground level. Nowhere does it
11 mention the possibility of stream piracy, reducing
12 stream surface flow, and there is basically nowhere
13 does it talk about the -- nowhere did I find it
14 mention this subduction is not reversible and once
15 pore space now holding water collapses, that
16 reservoir capacity will be gone forever.

17 In addition to the downside of the proposal
18 here in the document I'd like to add a couple that
19 have been missed. Things like natural areas of the
20 Great Basin National Park will be forever changed.
21 Potential exists for extinction of unique species
22 both known and unknown to science. Lung diseases in
23 the air will multiply among human population. And
24 there's no known remedies are currently available for
25 reversing the devastating downside effects of this

1 proposal. Pretty much all I have to say. Thank you
2 very much for the additional time.

3 DR. MICHAEL DWYER: Thank you. So is that
4 our last speaker?

5 FACILITATOR JOHN GODEC: It is.

6 DR. MICHAEL DWYER: Anybody else like to
7 speak? I think I've also set a precedent for giving
8 people more time.

9 JIM EIDEL: I'd like one more minute.

10 DR. MICHAEL DWYER: You got it.

11 KAREN BOEGER: Can I add to the EIS one
12 sentence?

13 DR. MICHAEL DWYER: Yes.

14 And would you like the time to speak? Okay.
15 Come up.

16 JIM EIDEL: One point that I'd like to make
17 is in addition to what I've already said is make a
18 reference to mitigation. In my six years of advising
19 the BLM, it had become obvious that the first thing
20 that drops out of the Bureau of Land Management
21 budget is the money for mitigation. Project after
22 project is not mitigated in a scientific fashion.

23 And I am not acquainted in depth with the
24 EIS, but I would like to make you all aware that if
25 there is no total analysis of the mitigation costs,

1 and a manner in which to not only confirm but to
2 guarantee that that mitigation is carried out, the
3 whole plan is a failure. And many BLM projects have
4 simply failed because mitigation moneys were not
5 available.

6 At one time I heard Miss Mulroy refer to a
7 well drying up to a rancher in Spring Valley. And
8 she assured the gentleman that if the well was drying
9 up they would know it and it would be mitigated. I
10 ask you how do you mitigate a dry spring? Can
11 anybody here tell me? Can you tell me what it costs?
12 Would you drill? What data would you use?

13 So I think and I suspect that the EIS needs
14 to do a large quantity of additional work with
15 respect to the costs and scientific methods of
16 mitigation that you know can be carried out. Thank
17 you.

18 DR. MICHAEL DWYER: Karen.

19 KAREN BOEGER: Karen Boeger again,
20 K-a-r-e-n, B-o-e-g-e-r, Nevada chapter of Backcountry
21 Hunters and Anglers.

22 I need to add an important PS. I'm really
23 apologizing for not being prepared. Life got in the
24 way. But the important thing that I wanted to get
25 across and did not is the cumulative effects on

1 wildlife habitat, thus wildlife, and then the
2 economics of the area of not only the projected water
3 drawdown dewatering affected springs, etc., but the
4 additional roads, number of roads, miles of
5 transmission lines, both of which can have a very
6 serious affect particularly on elk and sage grouse,
7 and thus will affect hunting, fishing. Well, not
8 fishing so much but hunting opportunities and
9 economic opportunities to the rural areas as well as
10 just the sustainability of the sage grouse in our
11 state, which is at the brink of being listed.

12 DR. MICHAEL DWYER: Thank you.

13 FACILITATOR JOHN GODEC: If you can just
14 give us your name, spell it and give us your mailing
15 address please.

16 CONNIE DOUGLAS: My name is Connie Douglas,
17 C-o-n-n-i-e, D-o-u-g-l-a-s. And my address is 339
18 Omni Drive, Sparks 89411.

19 Despite the fact this is just a little mini
20 thing here that we're seeing here, I know there are
21 piles of facts here and statistics and data, but what
22 I'd like to address, as Jim said, there's a whole
23 bigger picture here to look at and a whole larger
24 umbrella, if you will.

25 It's not totally those details in that data,

1 but what we need to look at is what's really bound to
2 happen here is that we're talking about sending water
3 from one part of our beautiful state, and it's not
4 just the water, it's the very lifeblood of that land,
5 to another part of our state for the people to use.

6 And I don't live in that area but I'm one of
7 those people too because I'm a resident of the state,
8 and so I say instead let us learn to conserve. Let
9 us not wash our car as often. Let us not plant lawns
10 and water thirsty landscape. Let us get used to
11 having less water. Let us deny, oh, wait, this is a
12 new concept, let us deny developments because we
13 don't have the water for them. Let us say, I'm
14 sorry, we can't build that because we don't want to
15 strip the water off of our state and turn it into a
16 dustbowl. And to me that's what it comes down to.

17 In the human aspect of it, oh, we need that
18 water here, but they really need it there worse. And
19 to take the water from one place in this respect and
20 totally dry out the land is to me unconscionable, and
21 I hope that the bigger picture will be considered.
22 Thank you.

23 DR. MICHAEL DWYER: Anybody else like to
24 make a public comment? If not we'll go ahead and
25 close this part of the hearing, but our court

1 reporter Debbie will stay here. If you'd like to
2 make a comment, you're very welcome to come up and
3 she'll take your statement here at the table or you
4 can write it in.

5 BRIAN HOOPER: Can I make a comment?

6 DR. MICHAEL DWYER: Please. One more.

7 BRIAN HOOPER: Brian Hooper, 150 Nicole
8 Drive, Sparks, Nevada 89436.

9 One of my concerns is based on what I'll
10 call historical data that seems to be used and then
11 considered to be scientific. If we're going to
12 consider that the historical habits or whatever of
13 the water system and the ecosystem that is being used
14 on that side of the state as being a factor or
15 prophecy for what's going to happen in the future,
16 then we should take the scientific fact of Owens
17 Valley, where I've also lived for three and a half
18 years, of what exactly occurred and considered that
19 to be science as well. And it was a massive failure
20 and continues to be to this day.

21 You can look at Owens Valley or Owens Lake,
22 which is having to be redone at millions of dollars,
23 and the engineering that was involved in just saving
24 that, the public's costs rose from there.

25 I actually work for a company that's the

1 largest pump company in the United States and we sell
2 pumps and such, and we're still using witchers to
3 get -- there is not enough science in what is going
4 down below the ground to be there. If there was they
5 wouldn't have to mine for gold and every other thing
6 that's out there. There's not enough science
7 involved in it.

8 The wildlife has nobody to protect
9 themselves but ourselves here, and I'm only
10 representing myself as somebody from the state of
11 Nevada. The wildlife can't -- you see the effect of
12 fires, the way they move. There hasn't been enough
13 history involved yet although we continue to grow,
14 and conservation-wise we continue to improve
15 everything.

16 By taking this water from that area there
17 can be nothing but a failure, in my opinion. And
18 again you just look at Owens Valley and what's
19 occurred to them and it seems to be glaring that this
20 is not the right way to get to that project. So
21 that's all I have to say. Thank you.

22 DR. MICHAEL DWYER: Thank you. Anyone else?
23 All right. We'll be around if you want to talk to
24 more experts or make a statement up here, please feel
25 free, and thank you all very much for your help

1 tonight.

2 NANCY HOFFMAN: I please urge you to take
3 the stand of No Action. Thank you.

4 BETTY HICKS: 2360 Chipmunk Drive, East
5 Washoe Valley, 89704. My comment is that we
6 shouldn't be taking water from one region of the
7 state to feed another. To me it's like robbing Peter
8 to pay Paul, and eventually Peter is not going to
9 have anything either and then who's going to take
10 care of them? Who's going to take care of White Pine
11 County when they clean it out all their water and
12 destroy all of the lands that are over there?

13 I know firsthand the involvement in Southern
14 Nevada Water Authority. My son has worked for them
15 for two and a half years, and he's about to leave.
16 He's been working on one of the ranches and I saw him
17 have some of the inside loop of some of the
18 information that's going on and I don't appreciate
19 their attitude. They seem to think that they're
20 entitled to this water in White Pine County. The
21 water belongs to White Pine County. If it was
22 supposed to be in Las Vegas and Clark County, it
23 would be down there.

24 And we need to build developments where the
25 resources are rather than take them to feed another

1 community. It's just not right. White Pine County
2 would benefit if the developments were happening in
3 White Pine County. The dollars would stay in White
4 Pine County. And that's where it needs to stay
5 instead of shipping it all down to Clark County. I
6 mean, how big does Clark County need to get or Las
7 Vegas need to get before they figure out they're too
8 big for their britches?

9 Surely we've learned from L.A. County and
10 what Southern California has done to the entire
11 region. And let's take the water rights away from
12 Los Angeles County or Southern California out of the
13 Colorado River and give it to Las Vegas. Maybe then
14 they'll be happy and let the two of them duke it out.

15 MICHAEL GARABEDIAN: I'm Michael Garabedian
16 with Water Keepers. So I'm here to talk about the
17 appendices. And right now what's available is a two
18 volume draft environmental impact statement. And as
19 I've mentioned to someone after one of the other
20 meetings I was at, the EIS does not have a listing,
21 does not list the appendices. And the fellow I
22 talked to had the impression that the next version
23 would list what's in the appendix.

24 I began to see that there were appendices as
25 I went through the document. And when I asked about

1 them at the following meeting, I learned that they
2 were all on the disk, on the CD. So today's the
3 first time I had a chance to go through a paper copy
4 of the appendix, and it's a massive document. My
5 computer, which is a Mac book, is about three and a
6 half years old and I got it with all kinds of extra
7 room on it, but I'm used to reading paper copies of
8 documents and it takes a long time to go through the
9 document, which is four or five inches thick, to try
10 to do that kind of thing on my computer.

11 What the appendices have are there are seven
12 appendices A through G, and then appendix F3 has 19
13 subsections, and then F3.3 has 17 subsections. And I
14 was going through those putting a Post-it on the
15 ones, the paper copy I was looking at this afternoon,
16 and that's about 43 sections.

17 And I did ask Penny about having a copy of
18 this available in the Reno BLM office. There isn't
19 one at this moment but she is going to check to see
20 if they can have one of the copies that was here
21 today available in the Reno office, the paper copies
22 of the appendices. My request is that BLM make
23 copies, have copies, paper copies of the appendices
24 available to the public to obtain.

25 Having gone through it now, I think it's

1 obviously a critical part of the EIS when you used to
2 read the appendix, 40-some appendix parts in
3 conjunction with what's in the document. I think the
4 appendix is such an integral part of the EIS it
5 should be, paper copies should be made available to
6 the public along with the EIS.

7 And I would also suggest that the paper
8 copies also be placed at some or many of the
9 locations where the EIS has been put in libraries and
10 that kind of thing. I have access to a computer but
11 the only way I can get a copy now -- well, I could
12 request BLM make me a copy, which would be
13 prohibitive, but the only way I could make a copy now
14 would be to take it to a service and have them print
15 it or print it out on my own computer, which I could
16 see would take a lot of time and run through a lot of
17 ink.

18 so I think it's appropriate for purposes of
19 disclosure of this project to take several steps to
20 make the appendices available, including to
21 individuals upon request, and that some or all the
22 locations where the EIS is now put available to the
23 public.

24 Speaking for people who don't have computers
25 or who have extremely slow computers who may even be

1 interested in a section or a subsection, those
2 without computers aren't going to be able to access
3 it. Some of the information in there is information
4 that our group, Water Keepers, started to compile for
5 Spring Valley, identification of wells and well
6 locations in connection with Ely office permits,
7 right-of-way permits for test wells, piezometer
8 studies and so forth. The information that's in the
9 appendices is an important starting place to look at
10 that information. And I think that without having
11 that available to the public means it's a burden to
12 the public to print it out and greatly limits access
13 to the EIS itself.

14 So to conclude I request, urge that this be
15 made available, the appendix be made available and
16 put in the newsletter and online how to get access to
17 paper copies once they're available. Thank you.

18 LEO HORISHNY: 5216 Valley Hi Drive, Sun
19 Valley, Nevada 89433. I just want to have it on the
20 record that I oppose any expansion of the SNWA
21 drawdown, any kind of pipeline going outside of the
22 Clark County area, that those areas, as marginal as
23 they are, can't afford to lose what little water they
24 have. That is their own resource there. And Las
25 Vegas just needs to start learning to live within its

1 means.

2 And I sorely fear, not only another Owens
3 Valley when they start doing this, but once this
4 project is in place, I don't see them stopping until
5 they get to the Idaho border, and it's just
6 absolutely insane, but that's what will happen. This
7 is the ugly camel's nose that I don't want to see
8 poking underneath the tent.

9 (Thereupon the proceedings
10 were concluded at 7:06 p.m.)

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CERTIFICATE OF REPORTER

STATE OF NEVADA)

SS:

COUNTY OF NYE)

I, Deborah Ann Hines, certified court reporter, do hereby certify that I took down in shorthand (Stenotype) all of the proceedings had in the before-entitled matter at the time and place indicated; and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision and the foregoing transcript constitutes a full, true and accurate record of the proceedings had.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 14th day of September, 2011.

Deborah Ann Hines, CCR #473, RPR